

shall be directed to respond to the Petition.

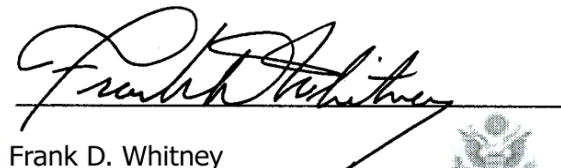
As for Petitioner's Motion for Appointment of Counsel, there is no constitutional right to counsel in a § 2254 proceeding. Crowe v. United States, 175 F.2d 799 (4th Cir. 1949). Rules 6(a) and 8(c) of the Rules Governing Section 2254 Cases mandate the appointment of counsel when discovery is necessary or if the matter proceeds to an evidentiary hearing. Id., 28 U.S.C.A. foll. § 2254. The Court also has discretion to appoint counsel to financially eligible persons in a § 2254 action upon finding that "the interests of justice so require." 18 U.S.C. § 3006A(a)(2)(B).

After a review of the record, the Court concludes that, at this point, Petitioner has not shown circumstances demonstrating the need for appointment of counsel. As such, Petitioner's Motion for Appointment of Counsel will be denied.

IT IS, THEREFORE, ORDERED that

1. Petitioner's Motion to Proceed In Forma Pauperis (Doc. No. 2) is **GRANTED**;
2. Petitioner's Motion for Appointment of Counsel (Doc. No. 3) is **DENIED**;
3. The Clerk of Court shall serve a copy of the Petition and this Order on the Attorney General of North Carolina; and
4. Respondent shall have 45 days from entrance of this Order to file an answer, motion, or other response to the Petition for Writ of Habeas Corpus.

Signed: July 12, 2018


Frank D. Whitney
Chief United States District Judge

